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Subject: Two PES articles on WHYY website

WHYY PHILADELPHIA

Future of PES refinery could be decided Friday behind closed doors The future of the 1,300-acre site by the Delaware River, currently occupied by the Philadelphia Energy Solutions refinery, could be decided Friday behind closed doors in New York. The company filed for Chapter 11 bankruptcy in July, a month after a catastrophic fire and explosion destroyed part of the refinery's capacity. The refinery shut its operations right after the fire, laying off nearly 1,000 employees. The refinery complex has been in the midst of a sale process since November. By then, 15 parties had expressed interest in acquiring the facility. Final formal bids were submitted Jan. 10, under nondisclosure agreements. The assets of PES could be sold to one or more buyers. An auction is expected to take place Friday at the New York City offices of the company's law firm Kirkland & Ellis LLP, to maximize the sale price and provide the biggest value to PES. But the company also could decide to take one bid and call the auction off. "It's very much an inside decision process, and it's very hard to tell," said Peter Winslow, a representative of SMART, a coalition of environmental organizations, who has been closely following the proceedings in U.S. Bankruptcy Court in Wilmington. In December, Bankruptcy Judge Kevin Gross approved the company's restructuring proposal, which lacked critical information for creditors. According to court documents, PES will send that information after the sale and insurance recovery process — the company is expecting a \$1.25 billion insurance payout — for creditors to vote on the plan before Feb. 3. The restructuring plan and the winning bidder would be presented in bankruptcy court at a confirmation hearing on Feb. 6...

High levels of cancer-causing gas recorded at PES refinery in May, report reveals Extremely high levels of a cancer-causing gas were detected in a fence line air monitor at the Philadelphia Energy Solutions refinery complex last year. According to an investigation by NBC News, E&E News, and the Investigative Reporting Workshop — a nonprofit newsroom based at American University — the levels of benzene detected in May were more than 21 times the federal limit. James Garrow, a spokesman for the city Department of Public Health, said Thursday that the Environmental Protection Agency informed the city it had ordered PES to do a Root Cause Analysis and Corrective Action report to find the cause. "The analysis and plan was delivered to the EPA and to the Health Department on June 24, so three days after the explosion," Garrow said. "It basically said that the benzene numbers were high. And while PES thought they had some culpability for that — some of the benzene was from them — they assigned it also to other industries in the area and from the highways in the area." Garrow said the city did not disclose the information to the public because testing at a city air-monitoring station at 24th and Ritner streets did not show such high levels. "Within the community, we never found levels of benzene high enough to indicate a threat to human health," he said. Former EPA officials interviewed by NBC News, E&E News and the Investigative Reporting Workshop criticized local and federal officials for failing to warn the public. According to the investigation, in the week before and after the fire, monitors registered 190 micrograms per cubic meter of benzene at various times. Bob Sonawane, a former EPA toxicologist, is quoted in the story as saying, "Oh my god. The numbers that you're saying are very, very high, like some things happening in China, India and many other places." But Garrow said even that amount is still far below what would be considered an immediate threat to human health...

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